

RIGHTS OF AMERICAN CITIZENS IN JAPAN

Convention signed at Shimoda June 17, 1857

Entered into force June 17, 1857, except for article two, which entered into force July 4, 1858

Senate advice and consent to ratification June 15, 1858

Ratified by the President of the United States June 30, 1858

Proclaimed by the President of the United States June 30, 1858

Abrogated, in part, July 4, 1859, by agreement of July 29, 1858¹

Terminated July 17, 1899, by treaty of November 22, 1894²

11 Stat. 723; Treaty Series 184³

For the purpose of further regulating the intercourse of American Citizens, within the Empire of Japan, and after due deliberation, His Excellency Townsend Harris, Consul General of the United States of America, for the Empire of Japan, and Their Excellencies, Inowouye, Prince of Sinano and Nakamoera, Prince of Dewa, Governors of Simoda, all having Full Powers from their respective Governments, have agreed on the following Articles, to wit:

ARTICLE ONE

The Port of Nagasaki in the Principality of Hizen, shall be open to American Vessels, where they may repair damages, procure water, fuel, provisions and other necessary Articles, even coals, where they are obtainable.

ARTICLE TWO

It being known, that American Ships, coming to the Ports of Simoda and Hakodade, cannot have their wants supplied by the Japanese, it is agreed, that American Citizens may permanently reside at Simoda and Hakodade, and the Government of the United States may appoint a Vice Consul, to reside at Hakodade.

This Article to go into effect, on the Fourth Day of July Eighteen Hundred Fifty Eight.

¹ TS 185, *post*, p. 362.

² TS 192, *post*, p. 387.

³ For a detailed study of this convention, see 7 Miller 595.

ARTICLE THREE

In settlement of accounts, the value of the money brought by the Americans shall be ascertained by weighing it with Japanese Coin (gold and silver Itsebues), that is, gold with gold, and silver with silver, or weights representing Japanese Coin may be used, after such weights have been carefully examined, and found to be correct.

The value of the money of the Americans, having been thus ascertained, the sum of Six Per Cent shall be allowed to the Japanese, for the expense of recoinage.

ARTICLE FOUR

Americans, committing offences in Japan, shall be tried by the American Consul General or Consul, and shall be punished, according to American Laws.

Japanese, committing offences against Americans, shall be tried by the Japanese Authorities, and punished according to Japanese Laws.

ARTICLE FIVE

American Ships which may resort to the Ports of Simoda, Hakodade or Nagasaki, for the purpose of obtaining necessary supplies, or to repair damages, shall pay for them in gold or silver Coin, and if they have no money, goods shall be taken in exchange.

ARTICLE SIX

The Government of Japan admits the right of His Excellency the Consul General of the United States, to go beyond the limits of Seven Ri, but has asked him to delay the use of that right, except in cases of emergency, shipwreck &c., to which he has assented.

ARTICLE SEVEN

Purchases for His Excellency the Consul General or his family, may be made by him only, or by some member of his family, and payment made to the Seller, for the same, without the intervention of any Japanese Official, and for this purpose Japanese silver and copper Coin shall be supplied to His Excellency the Consul General.

ARTICLE EIGHT

As His Excellency the Consul General of the United States of America has no knowledge of the Japanese language, nor Their Excellencies the Governors of Simoda a knowledge of the English language, it is agreed, that the true meaning shall be found in the Dutch Version of the Articles.

ARTICLE NINE

All the foregoing Articles shall go into effect from the Date hereof, except Article Two, which shall go into effect, on the Date indicated in it.

Done in quintuplicate, (each Copy being in English, Japanese and Dutch) at the Goyosso of Simoda, on the Seventeenth Day of June, in the Year of the Christian Era, Eighteen Hundred, Fifty Seven, and of the Independence of the United States of America, the Eighty First, corresponding to the Fourth Japanese Year of Ansei, Mi, the Fifth Month, the Twenty Sixth Day, the English Version being signed by His Excellency the Consul General of the United States of America, and the Japanese Version, by Their Excellencies, the Governors of Simoda.

TOWNSEND HARRIS [SEAL]